

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 243 – HB 548

March 26, 2013

**SUMMARY OF ORIGINAL BILL:** Requires a judgment debtor whose wages have been garnished to notify the judgment creditor who filed the writ of garnishment within 10 days of obtaining new employment. Failure to notify shall be punished as contempt of court.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

**SUMMARY OF AMENDMENT (005215):** Requires the judgment debtor to notify the judgment creditor when the judgment debtor obtains new employment. Notice to the judgment creditor shall include the name, address and telephone number of the new employer. If the judgment debtor fails to notify the clerk or judgment creditor, the judgment debtor is in contempt of court and shall be punished the same as contempt of court in a judicial proceeding. A judgment debtor's notification is timely if the notification is mailed less than 10 days after obtaining new employment. All fees imposed by the clerk or any other party for reissuing a garnishment with the debtor's new employment information shall be imposed upon the judgment debtor by adding the amount to the debt to be collected.

**FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:**

**Unchanged from the original fiscal note.**

Assumptions for the bill as amended:

- According to the Administrative Office of the Courts (AOC), the bill will not have a significant impact on state courts.
- Most garnishments are filed in local courts. The bill may impact the caseloads of general sessions courts due to an increase in contempt proceedings, but the fiscal impact would not be significant.
- Local courts may need to prepare new forms for writs of garnishments, but the fiscal impact would not be significant.
- Clerks of court already send, receive, and process writs of garnishment. Requiring them to receive notification of new employment from a judgment debtor will not have a significant impact on the clerks of court.

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**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "Lucian D. Geise". The signature is fluid and cursive, with the first name "Lucian" written in a larger, more prominent script than the last name "Geise".

Lucian D. Geise, Executive Director

/trm